

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GreenPoint Mortgage Funding, Inc.

Plaintiff,

vs.

Peyton Almond, et al.

Defendants.

Case No. 2:07-cv-1139

Judge Edmund A. Sargus

**ORDER OF CONFIRMATION OF
SALE AND DISTRIBUTION**

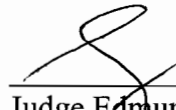
This action is before the Court upon the Notice of Deposit of Foreclosure Sale filed by the Special Master with respect to the property commonly known as 635 Churchill Drive, Gahanna, OH 43230, parcel no. 025-005196-00 (the "Property"). The legal description of the Property is attached to this order as Exhibit A, which is incorporated herein by reference.

1. Consistent with section 3.12 of General Order No. 07-03 and section 2329.34 of the Ohio Revised Code, the Court finds that a special reason exists why a county sheriff or the United States Marshal's Office cannot conduct the sale.
2. The Property was sold by the Special Master on July 17, 2008 to GreenPoint Mortgage Funding, Inc. for the following amount: \$235,500.00.
3. Having carefully examined the proceedings of the officer, the Court finds that the sale of the Property conformed in all respects to the law and the prior orders of this Court and hereby confirms and approves the sale of the Property and these proceedings.
4. The Special Master, within 5 days of the date of this Entry, shall convey the Property to GreenPoint Mortgage Funding, Inc. by deed according to law free and clear of all liens and encumbrances and shall issue the deed in the following name: GreenPoint Mortgage Funding, Inc.

5. The tax mailing address of the purchaser of the Property is as follows: c/o GreenPoint Mortgage Funding, 2300 Brookstone Center Parkway, Columbus, Georgia 31904.
6. The prior deed reference with respect to the Property is as follows: Deed dated August 31, 2006, filed September 5, 2006, recorded at Official Instrument Number 200609050176071, Recorder's Office, Franklin County, Ohio.
7. The purchaser of the Property is hereby subrogated to the rights of the mortgagees and lien holders in the Property to the extent necessary to protect the purchaser's title to the Property.
8. The Court hereby grants the purchaser of the Property a writ of possession to put the purchaser in possession of the Property.
9. The Court hereby orders the release of all mortgages and liens held by all parties to this action. As a result, upon recording of a certified copy of this Order in the office of the Franklin County Recorder, each of the mortgages and liens listed on Exhibit B, which is attached to this Order and incorporated herein by reference, shall be ordered released by operation of law. Such mortgages and liens shall be released only to the extent that they encumber the property foreclosed upon in this action and not to the extent that they encumber any other property.
10. Because GreenPoint Mortgage Funding, Inc. holds a valid and subsisting mortgage on the Property, it need not pay the full amount of the purchase price to the Special Master . Instead, the bid of GreenPoint Mortgage Funding, Inc. shall be credited against the amount of the judgment previously entered in its favor. Plaintiff is further ordered to pay the following:
 - a. To the County Treasurer, \$0.00 for taxes and assessments due on the Property as represented by tax bill attached as Exhibit C.

11. The following amount shall be applied as a credit toward the amount of the judgment previously entered in favor of the Plaintiff: \$235,500.00.
12. The Clerk is hereby ordered to distribute \$500.00 to the Special Master from the amount placed on deposit by the Plaintiff.
13. Having distributed payment for the appraisals in accordance with section 3.12 of General Order 07-03, the Clerk is hereby ordered to return the balance of the deposit, \$550.00, plus accrued interest, if any, to the Plaintiff.

IT IS SO ORDERED.

 7-25-2008

Judge Edmund A. Sargus
United States District Court Judge

Approved:

/s/ Kevin L. Williams
Kevin L. Williams (0061656)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: klw-f@mdk-llc.com
Attorney for Plaintiff

EXHIBIT A

Legal Description of the Property

Situated in the State of Ohio, County of Franklin and in the City of Gahanna:

Being Lot Number Sixty-six (66) of Saratoga Estate #2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 49, Page 110-113, Recorder's Office, Franklin County, Ohio.

Parcel Number: 025-005196-00

Property Address: 635 Churchill Drive, Gahanna, OH 43230

EXHIBIT B

Mortgages and Liens to be Released

1. Mortgage in favor of "MERS", Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GreenPoint Mortgage Funding, Inc., P.O. Box 2026, Flint, MI 48501-2026, from Peyton Almond, an unmarried man, in the amount of \$236,000.00, filed September 5, 2006, recorded at Official Instrument Number 200609050176072, Recorder's Office, Franklin County, Ohio.

as assigned to GreenPoint Mortgage Funding, Inc., c/o GreenPoint Mortgage Funding, 2300 Brookstone Center Parkway, Columbus, GA 31904, by Assignment filed November 9, 2007, recorded at Official Instrument Number 200711090195287, Recorder's Office, Franklin County, Ohio.
2. Mortgage in favor of "MERS", Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GreenPoint Mortgage Funding, Inc., P.O. Box 2026, Flint, MI 48501-2026, from Peyton Almond, an unmarried man, in the amount of \$59,000.00, filed September 5, 2006, recorded at Official Instrument Number 200609050176073, Recorder's Office, Franklin County, Ohio.

EXHIBIT C**Franklin County Treasurer Edward J Leonard**

generated on 7/18/2008 12:22:19 PM EDT

Tax Information

Scroll down to view Payment Information

Parcel ID	Address	Index Order	Card(s)
025-005196-00	635 CHURCHILL DR	Parcel ID	1
Edward J Leonard Franklin County Treasurer			
REAL ESTATE TAX AND PAYMENT INFORMATION			
Current Owner(s) ALMOND PEYTON		Full Rate	101.590000
		Reduction Factor	0.39258400
Billing Name LANDAMERICA TAX SERVICES		Effective Rate	61.707361
1123 S PARKVIEW DR COVINA CA 91724-3478		Tax District	025 CITY OF GAHANNA- GAHANNA JEFFERSON
		CDQ Year	
		Tax Lien Flag	
Assessed Value		Annual Tax	\$5,072.18
	Land \$17,780		
	Improvements \$76,160		
	Total \$93,940		

Current Year Tax Detail

	Prior	Prior-Adj	1 ST Half	1 ST Adj	2 ND Half	2 ND Adj
Orig Tax	\$5,152.52	\$0.00	\$4,771.68	\$0.00	\$4,771.68	\$0.00
Reduction			\$1,873.29	\$0.00	\$1,873.29	\$0.00
Subtotal	\$5,152.52		\$2,898.39		\$2,898.39	
10% RB			\$289.84	\$0.00	\$289.84	\$0.00
2.5% RB			\$72.46	\$0.00	\$72.46	\$0.00
Homestead CR			\$0.00	\$0.00	\$0.00	\$0.00
Net Total	\$5,152.52		\$2,536.09		\$2,536.09	
Penalty / Int	\$996.82	\$0.00	\$253.61	\$0.00	\$0.00	\$0.00
RE Chrg	\$6,149.34		\$2,789.70		\$2,536.09	
RE Paid	\$6,149.34		\$2,789.70		\$2,536.09	
SA Chrg	\$0.00		\$0.00		\$0.00	
SA Paid	\$0.00		\$0.00		\$0.00	
Total Owed	\$6,149.34		\$2,789.70		\$2,536.09	
Total Paid	\$6,149.34		\$2,789.70		\$2,536.09	\$11,475.13
Balance Due	\$0.00		\$0.00		\$0.00	
Future Charge		\$0.00		\$0.00		\$0.00
Future Paid		\$0.00		\$0.00		\$0.00

Detail of Special Assessment

Prior	Prior-Adj	1 ST Half	1 ST Adj	2 ND Half	2 ND Adj
No Records Found					

Future assessment charges are not listed.

Payment Information

Date	Half	Proj	Prior	1 ST Half	2 ND Half	Surplus
06/04/08	2-07		\$0.00	\$0.00	\$2,536.09	\$0.00
03/11/08	2-07		\$6,149.34	\$2,789.70	\$0.00	\$0.00
06/12/06	2-05		\$0.00	\$0.00	\$2,226.30	\$0.00
01/17/06	1-05		\$0.00	\$2,226.30	\$0.00	\$0.00

Payments received will not show paid until posted

Data updated on 07/15/2008